IN THE HIGH COURT OF JUDICATURE OF BOMBAY

APPELLATE SIDE

WRIT PETITION NO. 10667 of 2004

Sushil R. Ghuge .. Petitioner

versus

Hemlata S. Ghuge .. Respondent

...

Ms.Sangita S. Bhole for the petitioner.

CORAM : D.G. KARNIK, J

DATED : 16th February 2006.

P.C.:

1. By this petition, the petitioner challenges the interim order for payment of alimony and costs of litigation awarded to the wife by the Joint Civil Judge, Sr. Division, Nashik. The impugned order was passed on 13th September 2004. More than 16 months have passed, the petitioner has not deposited a farthing. In the circumstances, it is appropriate that the petitioner should not be heard until he deposits in the trial court the entire amount of the arrears upto 31.1.2006 and costs of the litigation as awarded by the

trial court.

2. The money shall be deposited within a period of four weeks. The petitioner shall thereafter file his affidavit about the deposit along with the copy of the receipt. Affidavit shall be filed on or before 3rd April 2006. If the money is not deposited and the affidavit of deposit is not filed by 3rd April 2006, the petition shall stand dismissed for non compliance of this Court without further reference to the Court.

(D.G. KARNIK, J)